



Ser. No. 10/786,514

7616-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **John F. Stoops, et al.**
Art Unit: **2816**
Serial No. **10/786,514**
Filed: **24 February 2004**
For: **METHOD AND APPARATUS FOR AN IMPROVED TIMER
CIRCUIT AND PULSDE WIDTH DETECTION**

Hon. Commissioner for Patents
Washington, DC 20231

Petition to Revive Unintentionally Abandoned Application

in Accordance With 37 C.F.R. 1.37(b)

and

Request for Continuing Examination

in Accordance With 37 C.F.R. 1.114

Dear Sir:

Applicants hereby petition to revive an unintentionally abandoned patent application in accordance with 37 C.F.R. 1.37(b), to enable Applicants to timely submit a Request for Continuing Examination in order to obtain consideration of previously submitted prior art.

Applicants submitted a Petition to Withdraw an Application from Issue on 20 July 2005 in order to obtain consideration of a prior art reference cited during a patent infringement lawsuit. The issue fee had not been paid and was due on 28 June 2005. This petition was denied on 01 September, after the issue fee payment period had expired. Additionally, the Examiner mailed a notice on 06 October 2005 stating that the submitted prior art was not considered, but merely placed in the application file.

In view of the fact that the decisions of the Patent and Trademark Office were not received until after the payment deadline, Applicants submit that all of the delay in responding to the Notice of Issue Fee Due was unintentional.

10/17/2005 HDESTA1 00000051 200352 10786514

02 FC:1453 1500.00 DA

Adjustment date: 10/26/2005 AKELLEY
10/17/2005 HDESTA1 00000051 200352 10786514
02 FC:1453 1500.00 CR

Please charge the required fee of one thousand five hundred dollars (\$1,500.00) for the Petition to Revive an Unintentionally Abandoned Patent Application under 37 C.F.R. 1.17(m) to Deposit Account Number 20-0352. Please also charge the required fee of seven hundred ninety dollars (\$790.00) for the Request for Continuing Examination under 37 C.F.R. 1.114 to Deposit Account Number 20-0352. No other fee is believed due. However, if an additional fee is due, please also charge that fee to Deposit Account Number 20-0352.

Respectfully submitted,
John F. Stoops, et al.

By: Thomas F. Lenihan

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Reg. No. 32,152
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12 October 2005

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: <u>10/24/05</u>		2 Serial/Patent # <u>10/786514</u>								
3 Please refund the following fee(s):	4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
Filing			\$							
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<input checked="" type="checkbox"/> Petition		<u>10/12/05</u>	\$ <u>1500</u>							
Issue			\$							
Cert of Correction/Terminal Disc.			\$							
Maintenance			\$							
Assignment			\$							
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		7 TOTAL AMOUNT OF REFUND <u>\$1500</u>								
10 REASON:		8 TO BE REFUNDED BY:								
		Treasury Check								
Overpayment	<input checked="" type="checkbox"/> Credit Deposit A/C #:									
Duplicate Payment	9 <table border="1" style="display: inline-table; text-align: center; width: 150px;"> <tr><td>2</td><td>0</td><td>--</td><td>0</td><td>3</td><td>5</td><td>2</td></tr> </table>			2	0	--	0	3	5	2
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<input checked="" type="checkbox"/> No Fee Due (Explanation):										
<u>Pet. unnecessary - app not abnd</u>										
11 REFUND REQUESTED BY:										
TYPED/PRINTED NAME: <u>F. Hicks</u>		TITLE: <u>Pets Ex</u>								
SIGNATURE: <u>[Signature]</u>		PHONE: <u>571 272 3218</u>								
OFFICE: <u>4202</u>										
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Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

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